

**TERMINAL DISCLAIMER TO OBIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING REFERENCE APPLICATION**

Docket Number (Optional)

1021.43715X00

In re Application of:

Application No.: 10/813,241

Filed: 3/31/2004

For: BLOOD SUGAR LEVEL MEASURING APPARATUS

The owner*, Hitachi, Ltd., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending reference Application Numbers 10/811,894, 10/813,029, 10/812,897, 10/879,780, 10/879,231, 11/008,360, 10/620,689, 11/169,777 and 11/059,607, of any patent on the pending reference applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record.

Signature

04/11/2007

Date

Alan E. Schiavelli Reg. No. 32,087

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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